

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
MIAMI DIVISION**

CASE NO.: 1:23-cv-22322-DSL

BETTY'S BEST, INC.,

PLAINTIFF,

v.

THE INDIVIDUALS, PARTNERSHIPS AND
UNINCORPORATED ASSOCIATIONS
IDENTIFIED ON SCHEDULE "A",

DEFENDANTS.

**MOTION FOR EXTENSION OF TIME TO FILE REPLY MEMORANDUM IN
SUPPORT OF MOTION FOR SUMMARY JUDGMENT AS TO DEFENDANT
KEEPSLA AND FOR LEAVE TO FILE EXCESS PAGES**

Plaintiff Betty's Best, Inc. ("Betty's Best" or "Plaintiff") by and through its undersigned counsel, hereby moves this Honorable Court for a fourteen (14)-day extension of time to file its Reply Memorandum in Support of Its Motion for Summary Judgment as to Defendant Keepsla and for leave to file an additional five (5) pages, as grounds therefore states as follows:

INTRODUCTION

Plaintiff seeks a fourteen (14) day extension of time until May 10, 2024 to prepare and file its reply to the Opposition filed by defendants April 19, 2024 at ECF 386. Plaintiff also seeks leave to file an additional five (5) pages with its Reply. Plaintiff needs the additional reasonable time and space to address the various issues raised in the Opposition, which was filed jointly by sixty-eight (68) defendants rather than by just Defendant keepsla.

A reasonable extension to permit Plaintiff to address all the relevant issues serves the needs of the Court as much as the Plaintiff. For these reasons, the extension should be granted.

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BACKGROUND

1. On March 22, 2024, Plaintiff filed its Motion for Summary Judgment as to Defendant keepsla (ECF No. 349), setting the deadline for a response to April 5, 2024.

2. On April 2, 2024, Keepsla moved unopposed for a 14-day extension of time to respond to Plaintiff's Motion (ECF No. 363), which the Court granted on April 4, 2024 (ECF No. 368).

3. On April 19, 2024, keepsla, joined by the 64 Defendants and Defendant Nos. 794 ("Humuling"), 874, and 790 ("Starshopya" and "Hopmtite") filed their Response in Opposition to Plaintiff's Motion for Summary Judgment (ECF No. 386), setting a deadline for Plaintiff to file its Reply memorandum to April 26, 2024. The Response in Opposition is 20 pages long and raises multiple legal issues.

4. Good cause exists to extend the deadline for Plaintiff to file its Reply memorandum. Plaintiff is unable to prepare an appropriate response and requires additional time to review the Opposition and the attachments, and prepare a Reply that is appropriate and in compliance with the Local Rules. In addition, Plaintiff is unable to adequately brief the issues raised by the Opposition in the ten pages allowed by the Local Rules.

5. Betty's Best respectfully requests an additional fourteen (14) calendar days to file its Reply memorandum in support of its Motion for Summary Judgment, and an additional five (5) pages for its Reply memorandum.

6. This is Betty's Best's first request for an extension.

7. This motion is not made to delay the proceedings, does not conflict with any upcoming deadlines or events, and no party would be prejudiced by the granting of this motion.

RULE 7.1 MEET AND CONFER STATEMENT

Plaintiff's counsel has conferred with counsel for keeplsa, the 64 Defendants, and Defendant No. 794 (humuling), who advised that they consented to an extension of seven (7) days, but not fourteen (14) days or any additional pages for Plaintiff's Reply.

Plaintiff's counsel contacted counsel for Defendant nos. 874 and 790 (starshopya and hopmtite) on the relief requested herein. However, Plaintiff was unable to obtain their position on the relief Plaintiff seeks herein.

WHEREFORE, BETTY'S BEST, INC. respectfully asks this Court for an extension of time to file its Reply Memorandum in Support of its Motion for Summary Judgment as to Defendant Keeplsa, up to and including May 10, 2024, and for leave to file an additional five (5) pages with its Reply.

DATED: April 24, 2024

Respectfully submitted,

/s/Angela M. Nieves

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